

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICHAEL CURTIS LOBATO,

Plaintiff,

v.

CIV No. 14-753 WJ/GBW

JOHONA GONZALES,

Defendant.

ORDER TO SHOW CAUSE

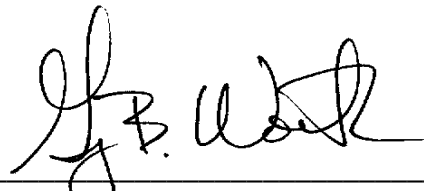
This matter is before the Court upon a review of the record. On September 25, 2014, the Court entered an order denying Plaintiff's Motion to Request Default Judgment. *Doc. 8*. On November 10, 2014, the mail sent to Plaintiff at the Taos County Detention Center containing the order was returned as undeliverable. *Doc. 15*. Plaintiff has not filed any notice of a change in his address.

Plaintiff has a "continuing duty to notify the Clerk, in writing, of any change in their mailing address," and Plaintiff's apparent failure to update his change of address will make proceeding in his case impossible. D.N.M.LR-Civ. 83.6. The Court may impose sanctions for Plaintiff's failure based on the local rules and the Court's inherent power to regulate its docket and promote judicial efficiency. *See Martinez v. Int'l Revenue Serv.*, 744 F.2d 71, 73 (10th Cir. 1984). One such sanction within the discretion of the Court is to dismiss an action for want of prosecution. *See, e.g., Link v. Wabash R.R.*

Co., 370 U.S. 626, 629-30 (1962); *United States ex rel. Jimenez v. Health Net, Inc.*, 400 F.3d 853, 856 (10th Cir. 2005).

Based on Plaintiff's failure to notify the Court of his change of address, he will be required to show cause why this case should not be dismissed. The Court notes that one of Plaintiff's letters listed a return address of Michael Lobato, P.O. Box 23, Chama, CO 81126. Therefore, the Clerk is directed to send a copy of this order to the Chama address as well as the address of record.

Wherefore, **IT IS HEREBY ORDERED** that, no later than **seventeen days** from the date of this order, Plaintiff shall file with the Court notice of his current address. Failure to respond to this Order shall constitute an independent basis for dismissal.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE